

**- VA has announced new proposed rule to remove evidentiary hurdles for veterans seeking PTSD benefits -**

**- Hall will submit Hudson Valley veterans' views on rule to VA during 60 day comment period - Monday, October 19, 2009**

10:30am

VFW Post 5913

8 School Street

Wappingers Falls, New York 12590 1:00pm

American Legion Post 214

71 Forester Avenue

Warwick, New York 10990 Goshen, NY – U.S. Rep. John Hall (D-Dover) will be hosting two roundtable discussions with veterans on Monday, October 19, to get their opinions about a new rule that the Department of Veterans Affairs (VA) is proposing to make it easier for veterans suffering from Post Traumatic Stress Disorder (PTSD) to receive the benefits they have earned. This new rule is another step forward toward full adoption of Hall's COMBAT Act (H.R. 952), legislation Hall wrote and passed through the full House Veterans' Affairs Committee to remove evidentiary hurdles that veterans seeking service-connection for PTSD currently face. There is a 60 day comment period in which the VA will be accepting comments before publishing a final regulation. After Hall's roundtables, he will be taking the concerns and comments of Hudson Valley veterans to the VA when he gives input on the new rule.

"I am optimistic that this new rule is going to be a giant step forward in getting veterans the benefits they have earned faster and easier," said Hall. "This rule should make major progress in clearing the VA's claims backlog. I will work with the VA and veterans during the comment period to ensure that the rule in application is as comprehensive and inclusive as my COMBAT Act."

Congressman Hall serves as Chairman of the House Veterans' Affairs Subcommittee on Disability Assistance and Memorial Affairs, which has jurisdiction over the VA's compensation system. Hall has been working for two years to change regulations at the VA that he says make it far too difficult for veterans seeking disability benefits. He has met with President Obama and VA Secretary Shinseki to urge them to change the way PTSD claims are handled at the VA. After Hall held several subcommittee hearings on the need for the COMBAT ACT, the VA acknowledged the need for such a change and committed to drafting a proposed rule.

"Since coming to Congress, I have heard too many accounts of denials from combat zone veterans," said Congressman Hall. "When we send troops into combat zones, every moment of every day is not documented. So when the veteran files a claim for PTSD, the stressors are not always easy to verify, which has resulted in too many of our combat veterans being denied an earned benefit. Our servicemen and women have been forced to 'prove' a specific stressor that triggered their PTSD, even if they have already been diagnosed. They need to track down incident reports, buddy statements, present medals, and leap other hurdles to meet the threshold that VA mandates in order to receive desperately needed compensation. Just as our military adapts and reforms its strategies in every war it fights, the VA is now adapting to assist the surviving heroes of those wars."

Hall's COMBAT Act would expand the definition of "combat with the enemy" in Title 38, USC to include active service in a theater of combat. Currently rules state that women are not allowed to serve in combat, so women often have a more difficult burden of proof when seeking service-connected benefits for PTSD. The COMBAT Act would essentially establish service in combat as the presumptive stressor for the incurrence of PTSD. The veteran would still need to be clinically diagnosed with PTSD, however, he or she would no longer need to "prove" the events that caused this diagnosis.

The VA's recently published proposed rule would reduce the need for the veteran to meet a stringent level of evidence for PTSD claims. The proposed amendment to adjudicate service connection for PTSD states: "If a stressor is related to the veteran's fear of hostile military or terrorist activity and a VA psychiatrist or psychologist confirms that the claimed stressor is adequate to support a diagnosis of PTSD, provided that the stressor is consistent with the places, types, and circumstances of the veteran's service and that the veteran's symptoms are related to the claimed stressor." Some are concerned that the rule is too limited and not as comprehensive or veteran-friendly as Hall's bill. One potential limitation of the proposed rule is a requirement that only a diagnosis from a VA practitioner would be accepted. Currently, military and private sector providers are certified and credentialed. Another concern is that the stressor must be related to the veteran's fear, while many veterans suffer from PTSD as a result of a sense of helplessness or horror as described in the Diagnostic and Statistical Manual of Mental Disorders. These and other issues will be discussed at Hall's roundtables.

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